

RECEIVED
CENTRAL FAX CENTER

001/030

MAR 20 2006
PTO 20 MAR 2006PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/551,789(UNOFFICIAL)	
	Filing Date	October 3, 2005	
	First Named Inventor	Michael Thomas CLANDININ et al.	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	30	Attorney Docket Number	PAT 978W-2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Form PTO 1449 - References (2) - copy of EP Office Action dated February 24, 2006
Remarks Attention: MAIL STOP AMENDMENT Fax No.: 571-273-8300		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Borden Ladner Gervais LLP		
Signature			
Printed name	Kathleen E. Marsman		
Date	March 20, 2006	Reg. No.	48,121

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Kathleen E. Marsman	Date	March 20, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: CLANDININ, Michael, Thomas; PARK, Eek, J.
Serial No.: 10/551,789(UNOFFICIAL)
Filed: March 12, 2004
Title: FORMULATIONS FOR MEDIATING INFLAMMATION AND FOR
REDUCING BLOOD CHOLESTEROL

Group:
Examiner:
Attorney Ref.: PAT 978W-2 US

March 20, 2006

Commissioner for Patents
United States Patent and Trademark Office
Customer Service Window
Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria, Virginia
22314
U.S.A.

RECEIVED
CENTRAL FAX CENTER
MAR 20 2006

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449, attached hereto.

II. COPIES**(check at least one box)**

- ☒ a. No U.S. patent or published application copies are enclosed.
Where applicable, submitted herewith is a legible copy of (i) each Foreign patent or application; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- ☐ b. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search

United States Patent Application Serial No. 10/551,789
Page 1 of 4
PAT 978W-2

Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- ☒ a. DOCUMENTS IN THE ENGLISH LANGUAGE
The attached patents, publications, or other information in the English language do not require a statement of relevancy.
- ☐ b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE
A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:
- ☒ c. ENGLISH LANGUAGE SEARCH REPORT
An English language version of the search report or action that indicates the degree of relevance found by the foreign Patent Office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A) (3).
- ☐ d. OTHER
The following additional information is provided for the Examiner's consideration.

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97 (b):

(check one box)

- ☒ a. Each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than thirty (30) days prior to the filing of this IDS; or
- ☐ b. Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97 (b) (2)). No fee or statement is required.
- ☐ c. Concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53 (d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97 (b) (4)). No fee or statement is required.
- ☒ d. Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97 (b) (3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under

United States Patent Application Serial No. 10/551,789
Page 2 of 4
PAT 978W-2

37 C.F.R. § 1.97 (e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17 (p).

- ☐ e. Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97 (b) (4)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97 (e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17 (p).

**V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97 (c):
(check one box)**

- ☐ a. No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17 (p).
- ☐ b. See the statement below. No fee is required.

**VI. STATEMENT UNDER 37 C.F.R. § 1.97 (e)
(check only one box)**

The undersigned hereby states that

- ☒ a. Each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS;
- ☐ b. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of the IDS.
- ☐ c. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart from a

United States Patent Application Serial No. 10/551,789
Page 3 of 4
PAT 978W-2

foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in the 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES

(check one box)

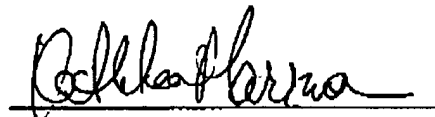
- ☐ Please charge Deposit Account No. 501593 in the amount required by 37 C.F.R. § 1.17 (p) for the above-indicated fee. A duplicate copy of this paper is attached.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 501593.

If the preceding amount is incorrect, any deficiency or overpayment should also be charged or credited to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,

Michael Thomas CLANDININ et al



By: **Kathleen E. Marsman**
Registration No. **48,121**
BORDEN LADNER GERVAIS LLP
World Exchange Plaza
1100-100 Queen Street
Ottawa ON K1P 1J9
Telephone 613-237-5160
Facsimile 613-787-3553
E-mail ipott@blgcanada.com

DLC/JLD/jld
Encls.

- ☒ PTO-1449
☒ References (4)
☒ Foreign Search Report

United States Patent Application Serial No. 10/551,789
Page 4 of 4
PAT 978W-2

Form PTO-1449 SUPPLEMENTAL OR INFORMATION DISCLOSURE STATEMENT				Complete if Known	
				Application No.:	10/551,789(UNOFFICIAL)
				Filing Date:	October 3, 2005
				First Named Inventor:	Thomas Michael CLANDININ et al.
				Group Art Unit:	
				Examiner Name:	
Sheet	1	of	1	Attorney Docket No.:	PAT 978W-2

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document No.	Date of Publication mm-dd-yyyy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		5,190,925	03-02-1993	Della Valle F et al	
		4,762,822	08-09-1988	Ettinger	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Patent Document No.	Date of Publication mm-dd-yyyy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ✓ Check if English Translation is attached
		WO 02/45740 A	06-13-2002	Children's Memorial Hospital		

OTHER DOCUMENTS

		Sugimoto, et al., "Total Synthesis of gangliosides GM1 and GM2", <i>Carbohydrate Research</i> , Vol. 156, 1986, pages C1-C5, XP001053330.

Examiner Signature:	Date Considered:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.	